

Smigo, Margaret (DEQ)

From: Smigo, Margaret (DEQ)
Sent: Monday, January 24, 2011 1:25 PM
To: 'Steidel, Robert C. - DPU'
Cc: Alling, Mark (DEQ); Lott, Craig (DEQ); Lazarus, David (DEQ); O'Halloran, Gregory T. - City Attorney; Virts, Michelle M. - DPU; LeRose, Grace A. - DPU; Linderman, Curtis (DEQ); Fritz, Doug (DCR); Carpenter, Emilee (DEQ)
Subject: RE: Stormwater BMP Modeling Summary for the James River Bacteria TMDL Implementation Plan...
Attachments: 1_13_11_DEQ_re_CoR_Steidel_v4.pdf

Hello Mr. Steidel,

All comments from formal comment periods will be included in the appendix of the final IP which will be provided to the SWCB for approval. With that said, the final minutes of each meeting (workgroup or steering committee) are also considered "public documents" as they are made publicly available and may be attached as appendices to the draft IP. I was waiting for input from permitting staff for one of the responses to the City's comments (which I just received Friday). You will find the formal, final response to your 12/27 comments, attached.

All comments which were received (along with DEQ responses) will be put into a PDF, and, should I have time - will be sent via email today to workgroup and steering committee members alike. Certainly, if not today I should be able to get to that sometime this week. I do not yet know whether a formal discussion of public comments will be an agenda item in the next Steering Committee meeting. I would prefer, should you have specific issues which you feel were insufficiently answered from previous comments, to inform us of what those issues are, so we could consider whether or not to raise these issues as specific steering committee agenda items.

Best Regards,
Margaret Smigo

From: Steidel, Robert C. - DPU [mailto:Robert.Steidel@richmondgov.com]
Sent: Monday, January 24, 2011 12:24 PM
To: Smigo, Margaret (DEQ)
Cc: Alling, Mark (DEQ); Lott, Craig (DEQ); Lazarus, David (DEQ); O'Halloran, Gregory T. - City Attorney; Virts, Michelle M. - DPU; LeRose, Grace A. - DPU
Subject: RE: Stormwater BMP Modeling Summary for the James River Bacteria TMDL Implementation Plan...

Margaret it is important to the City to know up front which of its comments submitted are considered to be public comments and part of the written record on the development of the WIP. I assumed that comments the City provided in response to the first public comment period on 27 December 2010 are public comments and part of the written record. If that is not the case please inform me. You indicated that all comments due the 27th would be addressed at the next steering committee and I believe DEQ response to comment must also be included in the WIP record. Perhaps this is an issue you want to clarify for all the stakeholders. Bob

Robert C. Steidel
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From: Smigo, Margaret (DEQ) [mailto:Margaret.Smigo@deq.virginia.gov]
Sent: Monday, January 24, 2011 11:48 AM
To: Steidel, Robert C. - DPU
Cc: Alling, Mark (DEQ); Lott, Craig (DEQ); Megan Maggard
Subject: RE: Stormwater BMP Modeling Summary for the James River Bacteria TMDL Implementation Plan...

Hello Mr. Steidel,

Discussion or questions are welcome outside of steering committee meetings and workgroups but these will not be considered "public comments".

As mentioned in the email, if you have information on bacteria efficiencies for SW BMPs not listed in the attachment, please provide that information (along with citation). We would like to create as comprehensive of a list of SW BMP efficiencies that we can for the IP.

Thanks!
Margaret

From: Steidel, Robert C. - DPU [mailto:Robert.Steidel@richmondgov.com]
Sent: Monday, January 24, 2011 11:39 AM
To: Smigo, Margaret (DEQ); cswanson@eee-consulting.com; Loyd, Kemper (VDH); keith.burgess@vaswcd.org; flanigans@chesterfield.gov; Gupta, Ram (DCR); david@aquariusplumbing.com; keeper@java.org; Alling, Mark (DEQ); sstewart@richmondregional.org; Virts, Michelle M. - DPU; Degen, Marcia (VDH); new10@co.henrico.va.us; dbyrd@co.goochland.va.us; pet12@co.henrico.va.us; per03@co.henrico.va.us; rick.thomas@timmons.com; ifrost@eee-consulting.com; rbodkin@maptech-inc.com; williamss@chesterfield.gov; fmaisch@greeley-hansen.com; Knapp, Allen (VDH); Roadcap, Dwayne (VDH); Campbell, Michael (VDH); Smith, Kenneth (VDH); Gregory, Lance (VDH); Watts, Jack (VDH); Marcia.degan@vdh.virginia.gov; Woo61@co.henrico.va.us; maw@co.henrico.va.us; Callahan III, Michael (VDH); Fritz, Doug (DCR); Sommers, Megan (DCR); ecronin@greeley-hansen.com; LeRose, Grace A. - DPU; lliang@greeley-hansen.com; cfrench@allianceforthebay.org; rick.thomas@timmons.com; fieldl@chesterfield.gov; flanigans@chesterfield.gov; sstewart@richmondregional.org; fow@co.henrico.va.us; awilliams@jtcc.edu; mbittner@craterpdc.org; llian@greeley-hansen.com; hdunfordjr@aol.com; rbrew16327@aol.com; kcarter@vt.edu; sueandleonapp@verizon.net; wston@vaafb.com; mcg@co.henrico.va.us; tammyep@vt.edu; envcons@comcast.net; ibspec@aol.com; ccurry@vt.edu; hen06@co.henrico.va.us; mar08@co.henrico.va.us; str18@co.henrico.va.us; ashm87@vt.edu; exzonegov@yahoo.com; chriselko@comcast.net; linda.mcallister@va.nacdn.net; margie.davis@verizon.net; jreiter@vt.edu; gab9401@msn.com; johnkinch@comcast.net; daniel.lee@va.nacdn.net; ahr5@aol.com; normanhofmeyer@aol.com; charles@weanack.com; slconner@co.hanover.va.us; bowen@vt.edu; chowland@vt.edu; jasonf@vt.edu; ariah3@vt.edu; almorgan@vt.edu; Twandra@vt.edu; nbharris@vt.edu; bhowlett@vt.edu; jlogan@vt.edu; csok@vt.edu; kcarter@vt.edu; kiedmon1@vt.edu; khenley@vt.edu; rbmorris@vt.edu; lsanderson@vt.edu; bmpannell@vt.edu; kkyoung@vt.edu; ccoombs1@vt.edu; trmartin@vt.edu; btompki@vt.edu; awriggle@vt.edu; licole2@vt.edu; kacarlis@vt.edu; suedward@vt.edu; adea@vt.edu; mmcfadd@vt.edu; daisey01@vt.edu; avargo@vt.edu; iris3@vt.edu; winfreed@vt.edu; crowles@vt.edu; kybradby@vt.edu; holloman@vt.edu; jddailey@vt.edu; bowen@vt.edu; jasonf@vt.edu; erice7@vt.edu; ssexton@vt.edu; sreynolds@powhatanva.gov; Harris, Roger (DEQ); Mullins, Seth (DEQ); dbyrd@co.goochland.va.us; scottburger@mac.com; djennings@allianceforthebay.org; Lott, Craig (DEQ); Mills, Roy T. (VDOT)
Cc: Megan Maggard
Subject: RE: Stormwater BMP Modeling Summary for the James River Bacteria TMDL Implementation Plan...

Margaret will this communication be discussed as a group in the next steering committee or are you soliciting comments on this email and the attachment at this time? Thank you. Bob

Robert C. Steidel
Interim Director



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

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January 24, 2011

Mr. Robert C. Steidel
Interim Director
City of Richmond Department
of Public Utilities
730 E Broad Street
Richmond, VA 23219

RE: James River Bacteria IP – comments on first public meeting and workgroups

Dear Mr. Steidel,

Thank you for the comments submitted on December 27, 2010 in regard to the first public meeting and workgroups held 11/16/10 through 12/13/10. DEQ appreciates the City of Richmond's participation in the implementation planning process. DEQ has responded to your comments below. Your comments are in black and DEQ responses are in blue italics.

To date none of the work groups I have attended nor do the minutes of the workgroups I have read discuss the reasonable potential for compliance with slide number 10 in the attached presentation DEQ provided on 16 November 2010. Without this required work of the TMDL IP even begun on this date, the schedule in slide number 33 is not reasonable. DEQ's proposal for the CSO LTCP in Gillies and Almond Creek watershed alone is in the 100s of millions of dollars which will cause substantial economic impact on City of Richmond citizens who pay the wastewater utility rates without reasonable assurance that as a result of those actions current water quality standards will be met. The TMDL IP must show how reasonable assurance with compliance of applicable water quality standards will be met, and none of the action items for the next meeting on 26 January 2011 address the issue. That analysis specific for the IP for the James River and Selected Tributaries in the City of Richmond needs to begin in earnest very soon.

DEQ and MapTech, the consultant contracted to develop the IP, has not yet completed the modeling which shows the total BMPs and associated costs necessary to achieve reductions

required to meet WQS in the TMDL. Together, we've been working with localities to get all of the information necessary in order to complete that analysis and plan to share that information as soon as possible. In addition, information gathered at the workgroup meetings is necessary in order to include the BMPs which are desired by stakeholders – the final workgroup meetings are scheduled for late January.

With regard to the schedule, the James River bacterial TMDL Implementation Plan First Government/Urban Second Working Group Meeting Summary, December 9, 2010 states: “Ms. Smigo stated there is a strict timeline for completing the IP due to stimulus funding source. A draft IP must be available by July 30, so it must go out to public comment in mid to late May.” Yet in a meeting on 17 November 2010 between the City of Richmond and staff of the DEQ headquarters and PRO to discuss several issues including the TMDL impact on the CSO LTCP, my notes indicate that Alan Pollock did not agree that IP completion is tied to the funding DEQ received to be applied against the IP development. As stated above, the schedule published on 16 November 2010 seems unreasonable due to the issues that are yet to be discussed in the IP process, and it is important to know whether the IP is bound by a regulatory deadline or some other statutory requirement that can be published for public comment. I respectfully request a response to the justification as why the TMDL IP must be a final draft complete July 2011.

The statement made by Ms. Smigo is correct. This project is funded by a federal ARRA Stimulus grant and has a critical timeline and completion date. In reference to the November 17, 2010 meeting, Mr. Lazarus and Mr. Pollock did in fact affirm the schedule and ties to the requirements of the ARRA grant. DEQ HQ staff suggested that a final draft of the IP would satisfy the grant requirements and that the document could be re-opened or modified at any time if new data or emerging issues merit doing so; IPs are viewed as adaptive planning management tools. Virginia code does require IP development, but does not establish a timeline.

DCR began participation regarding the MS4 permit impact at the meeting on 9 December 2010. While Mr. Fritz appears to have explained how the TMDL WLAs will impact the MS4 permit, there was apparently no discussion on how the permit writer will develop effluent limits in those permits. And effluent limits in a permit that have no reasonable potential for compliance cannot be accepted by a permittee. The MS4 general permits expire July 2013 and MS4 individual permits also will be impacted. The IP must clearly state how the DCR permit writers will translate the TMDL WLAs into enforceable permit limits and that discussion needs to begin soon too.

We understand the City's concern regarding the reissuance of the MS4 permit and potential impact as a result of effluent limits established to meet TMDL wasteload allocations. However, under federal and state regulations, effluent limitations are set as part of permit development and not in development of an implementation plan. It is not proper for the implementation plan to attempt to establish permit limitations under a separate program.

In review of the City of Lynchburg bacteriological TMDL IP document I did not find clear reference as to how the DEQ permit writers will translate the TMDL WLAs into the VPDES individual permit for that City's CSO discharge points. Perhaps that is because the LTCP for Lynchburg is so much different than the Richmond LTCP. As with MS4, the IP must clearly

state how the DEQ permit writers will translate the TMDL WLAs into enforceable permit limits and that discussion needs to begin soon too. The DEQ permit writer for the City of Richmond, Emilee Carpenter, needs to participate in this process.

DEQ recognizes the need for active collaboration between TMDL staff, permitting staff and the City. It is DEQ's intent to facilitate a cooperative approach to IP development and the associated permitting implications. As footnoted in the approved TMDL, Richmond's CSO WLA is to be addressed through the LTCP. In cases where the LTCP does not result in attainment of water quality standards, an addendum to the LTCP or a UAA of the impaired stream may be pursued.

Again, DEQ thanks you and the City of Richmond for your involvement in the James River Implementation Planning process and looks forward to working with you at the next government/urban workgroup meetings on 1/26/11.

Best Regards,

Margaret Smigo
VA-DEQ Piedmont Regional
TMDL Coordinator
Cc: David Lazarus, DEQ
Doug Fritz, DCR
Curt Linderman, DEQ
Emilee Carpenter, DEQ
Mark Alling, DEQ
Craig Lott, DEQ

From: Steidel, Robert C. - DPU [Robert.Steidel@richmondgov.com]

Sent: Monday, December 27, 2010 12:23 PM

To: Smigo, Margaret (DEQ)

Cc: Megan Maggard; Alling, Mark (DEQ); Gupta, Ram (DCR); Keith Burgess; Lott, Craig (DEQ); Lazarus, David (DEQ); LeRose, Grace A. - DPU; Virts, Michelle M. - DPU; ecronin@greeley-hansen.com; O'Halloran, Gregory T. - City Attorney

Subject: RE: *Reminder* James River Bacteria IP - First Public comment period ends Monday 12/27/10...

Follow Up Flag: Follow up

Flag Status: Red

Ms Smigo, thank you for the opportunity to comment on how the implementation plan should be developed and ideas for cleaning up the impaired waterways. The City of Richmond continues to participate in this process and will continue to devote significant resources to the implementation planning process. There is currently no document to review for the James River in the City of Richmond. At this point in the process I have the following initial comments on the discussions to date.

To date none of the work groups I have attended nor do the minutes of the workgroups I have read discuss the reasonable potential for compliance with slide number 10 in the attached presentation DEQ provided on 16 November 2010. Without this required work of the TMDL IP even begun on this date, the schedule in slide number 33 is not reasonable. DEQ's proposal for the CSO LTCP in Gillies and Almond Creek watershed alone is in the 100s of millions of dollars which will cause substantial economic impact on City of Richmond citizens who pay the wastewater utility rates without reasonable assurance that as a result of those actions current water quality standards will be met. The TMDL IP must show how reasonable assurance with compliance of applicable water quality standards will be met, and none of the action items for the next meeting on 26 January 2011 address the issue. That analysis specific for the IP for the James River and Selected Tributaries in the City of Richmond needs to begin in earnest very soon.

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Sincerely,

Robert C. Steidel
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730 E Broad Street
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804-646-5182 (office)
804-370-7569 (mobile)

From: Smigo, Margaret (DEQ) [mailto:Margaret.Smigo@deq.virginia.gov]
Sent: Wednesday, December 22, 2010 4:24 PM
Cc: Megan Maggard; Alling, Mark (DEQ); Gupta, Ram (DCR); Keith Burgess; Lott, Craig (DEQ)
Subject: *Reminder* James River Bacteria IP - First Public comment period ends Monday 12/27/10...

Good Afternoon!

This email is to remind you of the public comment period which will end on Dec. 27th, 2010. Please note that there is no document under review, rather, the comment period is to get your input on how the implementation plan should be developed and to hear your ideas for cleaning up the impaired waterways. Along with your comment, please send your name, address, telephone number, and email to:

Piedmont DEQ
ATTN: Margaret Smigo
4949-A Cox Road
Glen Allen, VA 23060

You may also send your comments via email to: Margaret.Smigo@deq.virginia.gov or FAX to (804)527-5106 (ATTN Margaret Smigo).

The presentation given at the public meeting (11/16/10) is available on the DEQ website [here](#).

Best Regards,

Margaret Smigo
VA DEQ Piedmont Regional
TMDL Coordinator
4949-A Cox Road
Glen Allen, VA 23060
Office (804)527-5124
Fax (804)527-5106

From: Smigo, Margaret (DEQ)
Sent: Monday, December 27, 2010 2:55 PM
To: 'cfrench@allianceforthebay.org'

Margaret Smigo
VA DEQ Piedmont Regional
TMDL Coordinator
4949-A Cox Road
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Office (804)527-5124
Fax (804)527-5106

From: Smigo, Margaret (DEQ) [mailto:Margaret.Smigo@deq.virginia.gov]
Sent: Wednesday, December 08, 2010 10:01 AM
To: cfrench@allianceforthebay.org
Cc: Alling, Mark (DEQ); Rod Bodkin; Lott, Craig (DEQ); West, Kelley (DEQ); ram.gupta@dcr.virginia.gov
Subject: RE: James IP Residential work group

Hi Chris,

I appreciate and value your recommendation. DEQ is interested in getting "new" folks in on the meetings and part of that is offering a plethora of times – both afternoon and evening to maximize attendance. Conversely, I also feel an obligation to schedule the meetings during times when dedicated attendees have a preference and are able to attend. I am partial to scheduling a meeting for a time when I know I'll have participants; versus scheduling the meeting for a time in the hopes that "new" folks, who have not been engaged in the process, and who may or may not show up. We will plan the 2nd ag and res workgroups as evening meetings (after 5:30 pm). I'm not sure an evening meeting is appropriate for the government/urban group because the majority of those participants prefer afternoon, however, the facilitators of that group (Craig and Mark) can mention this in the workgroup meeting tomorrow to see if something can be worked out. I imagine they would also understand the concern and the need to flexible.

For the next workgroup meetings (all three groups), we can also attempt to reserve locations along public transit routes. Believe it or not, many libraries have limited evening hours of operation...I've run into this issue for TMDL meetings on several occasions. A couple of the Richmond libraries close at 5 or 6 (Hull Street and East End) during the week however there are one or two nights a week that the others are open until 7 or 8pm (usually Mon, Tues, or Wed). I'll present these places as options in our next meetings (link: <http://www.richmondpubliclibrary.org/branch.asp>) – but of course the availability of these rooms may be limited (we'll just have to see). If you have additional locations in mind please let me know – its so much easier having a lead than hunting blindly for a location (I do have the Presbyterian Church next to Forest Hill Park is an option as well). This information is also being sent to our other workgroup coordinators so that they may keep this information in mind when scheduling the next workgroup meetings.

In regards to TMDL meetings and your concerns regarding DEQ scheduling, 99% of the time, PRO offers both an afternoon and evening meeting and in most cases, the meeting is held at a public library or rec center where I would assume, public transportation is also proximal.

Thanks again,

Margaret Smigo
VA DEQ Piedmont Regional
TMDL Coordinator
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Fax (804)527-5106

From: Chris French [mailto:cfrench@allianceforthebay.org]
Sent: Monday, December 06, 2010 2:12 PM
To: Smigo, Margaret (DEQ)

Cc: Alling, Mark (DEQ); Rod Bodkin
Subject: James IP Residential work group

Margaret:

Unfortunately, I have a conflict I am unable to reschedule, so I will be unable to attend the residential work group on Dec. 13th. I do plan to attend the meeting in Henrico later this week, though.

Regarding the scheduling of the residential meeting, I would like to request future work group meetings be held at locations adjacent to public transportation. While the Richmond WWTP is a central location for meetings, it is not easily accessible to the average person, especially those who do not have vehicles. As you might be aware, Richmond and the surrounding localities have a high proportion of underserved populations. For many, it is difficult to attend meetings that are held during the day and located away from public transportation. While I would be personally inconvenienced with additional evening meetings, I recognize this is necessary in order to engage community members who work in the day and may not have been previously engaged in the TMDL process. This should be a consideration for scheduling future TMDL meetings.

I and other community members are very willing to help locate meeting spaces that will meet these needs and others you might provide. For instance, there are several public libraries that would lend themselves to holding public meetings throughout the region. Several are located adjacent to public transportation

If I can be of assistance in helping to find other meeting locations, please let me know. I look forward to seeing you soon.

Chris

Chris French

Virginia Director
Alliance for the Chesapeake Bay
530 E. Main Street, Suite 200
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www.allianceforthebay.org

Please note my new email address: cfrench@allianceforthebay.org

From: Smigo, Margaret (DEQ)
Sent: Monday, December 27, 2010 4:05 PM
To: 'cfrench@allianceforthebay.org'
Subject: RE: Tuckahoe Creek (including in the James IP...)
Hi Chris,

In response to your public comment regarding Tuckahoe Creek, Piedmont DEQ has permission from our Central Office to include Tuckahoe Creek in the James River IP process and is awaiting verification from MapTech that we can move forward. We don't anticipate any objections from our contractor and will make every effort to include Tuckahoe Creek in order to efficiently address implementation in the James River and its tributaries around the City of Richmond.

Thank you again for the valuable suggestion!

Best Regards,

Margaret Smigo
VA DEQ Piedmont Regional
TMDL Coordinator
4949-A Cox Road
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Office (804)527-5124
Fax (804)527-5106

From: Chris French [mailto:cfrench@allianceforthebay.org]
Sent: Wednesday, December 08, 2010 7:08 PM
To: 'Smigo, Margaret (DEQ)'; 'Alling, Mark (DEQ)'
Subject: Tuckahoe Creek

Margaret and Mark:

I was looking at the TMDL IP study map during Margaret's presentation last night and noted that Tuckahoe Creek was not included in the IP, though the overall watershed is covered in the target study. Sorry to have not caught this earlier.

Is this something that you all would be willing to discuss with both CO and Maptech to see if it can be included in the IP? I would not think it would be too difficult to do as the TMDL should have incorporated the Tuckahoe TMDL loadings from LDA study in 2004. Perhaps I am incorrect about this, but thought it should be asked. I'd hate to see you all spend more money for separate IP when Tuckahoe could be covered in this study.

See you tomorrow. Chris

Chris French
Virginia Director
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Please note my new email address: cfrench@allianceforthebay.org

**1/19/2011 DEQ Response to Keith Burgess regarding James River –
Richmond Bacterial TMDL Public Comments – Submitted 12/27/2010**

Dear Mr. Burgess,

DEQ appreciates the time and effort you've contributed in this comment. We thank you for your participation in the James River Bacteria IP process and value the input you've provided during workgroup meetings and the first steering committee meeting.

DEQ and MapTech provided the answers to your comments (below) in a recent conference call on 1/10/2011. DEQ is providing a formal written response below, although the answers are more succinct than those provided during the call. Your comments are in black while DEQ responses are in blue italics.

Comments from workgroup meetings and review of September 2010 document.

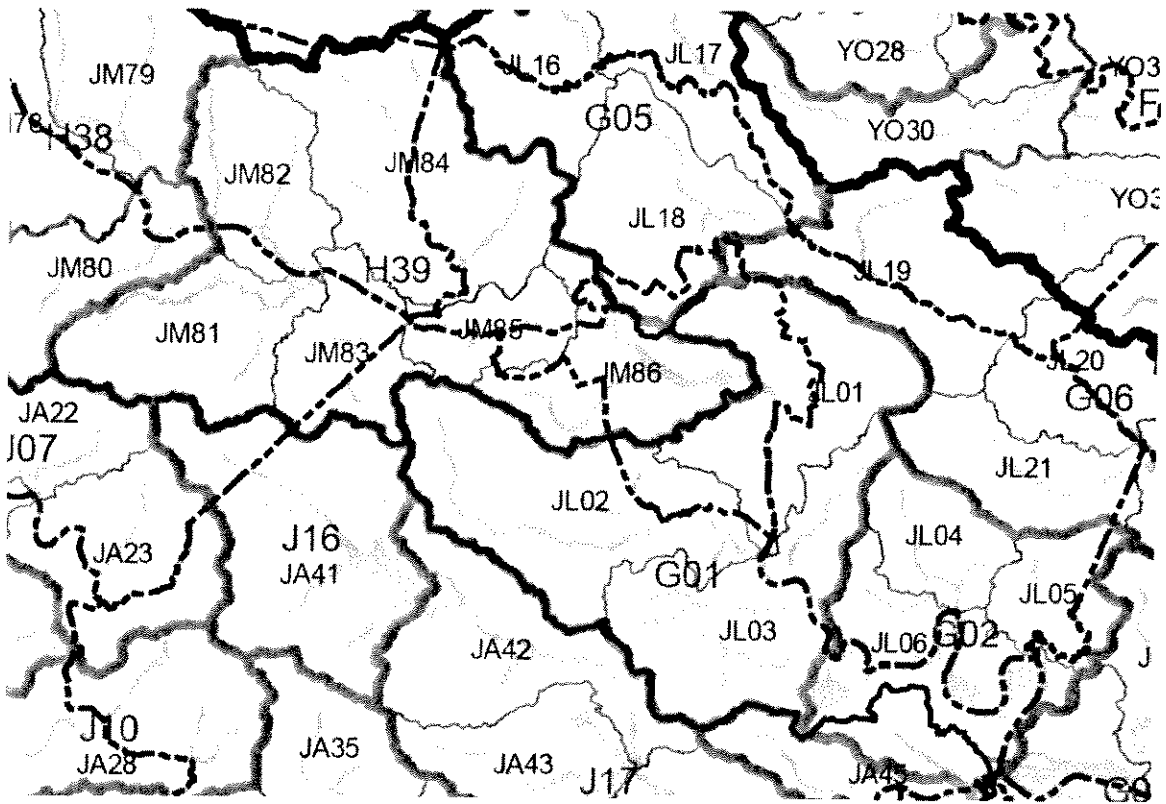
Agricultural Comments

Am I correct in understanding that the James River (lower/riverine) section includes everything upstream of the lower limits of this section?

Yes

Additional Information/Data Clarification

Table 1.1 The HUP classification system changed in 2006. The old HU coding numbers were utilized in this reporting. The current HU/NWBD number should be added under the Stream Name HU. The VACS tracking program uses current NWBD boundaries and names. This comment applies to all tables. See attached old vs new map



DEQ utilized the newest NWBD boundaries in assessments in this TMDL. The only difference is the nomenclature. DEQ has not yet completed the "renaming" of the watersheds to reflect the change to the current 14-digit naming convention as this requires much effort within the DEQ database. The change in naming will eventually be made and the decision on when to make this change will be determined by Central Office DEQ. DEQ can provide a table in the implementation plan (IP) similar to that which you have provided below, in order to make it easier for those more familiar with the 14-digit nomenclature to review the impaired watersheds. We appreciate this suggestion.

Adobe Acrobat Standard [jamesr.311] w-comments.pdf

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Table 1.1 Fecal coliform impairments on the 2004 Section 305(b)-303(d) Water Quality Integrated Report within the James River - City of Richmond study area.

Stream Name HUP	Listing Station ID(s)	Initial Listing Year	River Length Affected (miles)	2002 303(d) List FC Violations/ Total Samples	2004 303(d) List FC Violations/ Total Samples	Location
AL01 Almond Creek VAP-G01R-02	2-ALM000.42	1998	2.26	9/27	12/29	From its headwaters to its mouth at the James River, including unnamed tributaries
JM01 Bernards Creek VAP-H39R-10	2-BOR001.73	2004	6.97	NA	7/30	Mainstem of Bernards Creek
AL02 Falling Creek VAP-G01R-03	2-FAC000.85	2002	3.51	8/47	10/49	From the Falling Creek Reservoir Dam to confluence with James River
AL01 Gilbe Creek VAP-G01R-06	2-GIL000.42	2004	5.79	NA	2/9	From its headwaters to its mouth at the James River
AL01 Goode Creek VAP-G01R-01	2-GOD000.77	2002	1.23	12/21	14/20	From the confluence with Broad Rock Creek to its mouth at the James River
JM06 James River (upper) H39R-11 DELISTED	2-JMS117.35	2004	10.06	NA	6/46	The mainstem of the James River between the confluence of Tuckahoe Creek and William's Island Dam
JM06 James River (lower) VAP-H39R-08 DELISTED	2-JMS115.29	1996	3.05	9/30	—	William's Island Dam at river mile 116.30 to Boulevard Bridge
JM06 James River (lower) VAP-H39R-08	2-JMS112.79	1996	2.99	9/30	—	Boulevard Bridge to the fall line at Mayos Bridge
JL06 - Should be GO02 based on HU overlay map? James River (tidal) VAP-G01E-01	2-JMS110.31	1996	10.84 sq. mi.	—	—	From the fall line at Mayos Bridge downstream to the Appomattox River
AL03 No Name Creek VAP-G01R-08	2-XTC000.08 2-XUH000.01 2-XUT000.01	2004	1.83	NA	2/2 1/1 2/2	Unnamed Trib to James River (a.k.a. No Name Creek) mainstem and tribs
JM06 Powhite Creek VAP-H39R-05	2-PWT000.57	2002	8.12	3/19	6/28	From its headwaters to its mouth at the James River
JM06 Reedy Creek VAP-H39R-06	2-RDC000.19	1998	3.68	8/26	7/18	From its headwaters to its mouth at the James River

11/18/04

47 of 405

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Does this TMDL include any portion of old HU G02? It appears based on Figure 1.2 that it would be included. Is the James River (tidal) VAP-G01E-01 correctly identified? Based on research, this should have been a GO02 number. *The watershed boundaries between old and new vary only slightly. The newest NWBD boundaries were used for TMDL development (and IP). The old nomenclature was preserved for reasons mentioned previously.*

Table 2.1 Agricultural BMPs installed – The column used for data compilation from the DCR VACS tracking database should have been “Extend Installed”. There was an over-reporting of 2,900 acres of SL-15A. *The Ag BMPs “Currently Installed” table in the Ag workgroup handout has been updated.*

What information and/or how was Table 3.1 developed? Was computer imagery software based on satellite/aerial photography? For rural areas such as the outlying areas of Goochland, Powhatan, Chesterfield and Henrico areas are indicated as Forest, but should be classified as rural/residential. *Land use was developed from the NLCD 2001. This is the most current land use information available. Updates for land use can be made during IP but it should be kept in mind that only significant changes from one land use type to another*

will result in significant change to the land use type percentages (for example; large forested area developed for residential subdivision or industrial park).

Table 3.4 CAFO permits – Alvis Farms LLC is a dairy operation. It has never been a poultry operation. The operation currently is milking 700 dairy cows. The milking herd is in 100% confinement with liquid manure storage. Liquid manure is spread on approximately 700 acres per year. The operation is installing stream fencing to eliminate stream access for the dry cows, non-lactating cows. Heifers and calves are spread over multiple watersheds within and outside the limits of this TMDL area.

DEQ apologizes for this error. The Alvis Farm CAFO permit was reviewed during TMDL development. DEQ and MapTech have noted the error. Should modification of the TMDL be necessary at some point, we will make the correction at that time. The number of dairy cattle has been updated for the next Ag workgroup handout based on this information.

Table 3.9 and related tables

James River (lower) do the numbers for this segment include upstream segments?

Yes

James River (tidal) do the numbers for this segment include upstream segments?

Yes

I understand the tables are arranged in alphabetical order, but if the James River (lower) and James River (tidal) include upstream areas and are composite figures, it would be better understood that these segments be listed based on location/river mile.

The tables in the next workgroup handouts will be organized from upstream to downstream.

Table 3.10 Biosolids Application- There should be more recent data. Replace with most recent data available from DEQ for applications or land area and tons permitted for application.

DEQ will check with Biosolids staff to see if there has been more recent application of biosolids. Because development of this TMDL took far longer than anticipated (almost 5 years) a "cutoff" had to be established. In terms of an update of information for IP, this information can be provided. In terms of bacteria contribution, biosolids are not considered a source when treated and applied correctly (though the use of biosolids is highly controversial). We won't have this update available for the next workgroup meetings but will provide the information in the IP document.

Table 3.13 Livestock – It appears the #s for James River (tidal) are cumulative for the entire TMDL area. Are the #s for James River (lower) cumulative for

Bernards, James River (upper), James River (lower), Powhite, and Reedy?

Referenced back to table 1.1

The numbers are cumulative in the TMDL but non-cumulative in the workgroup handouts.

Should the James River (tidal) be equal to the **Watershed Total** as indicated at the bottom of the table?

Yes in the TMDL, no in the workgroup handouts.

Dairy Cows – there are approximately 700 Milking cows in total confinement within H39. Dry cows and heifers 350, calves 175. Dry cows, heifer and calves are on pasture.

The number of dairy cattle has been updated for the next Ag workgroup handout as well as livestock populations in the Bernards Creek watershed.

Table 3.15 Collected Livestock Waste – I am not aware of any beef manure being collected. There are no concentrated beef operations or beef operations with manure storage facilities. Manure and feed waste around feeding areas would most likely be spread in spring. Most horse operations collect at least a portion (+/-25%) of manure in stalls for disposal/land application later. These operations currently are not implementing BMPs for manure application. Field visits and ASA complaints have revealed many operations simply store waste bedding/manure outside and sometimes next to drainage ways. BMPs for horse manure should be evaluated. BMPs for agriculture should include composting and waste storage type facilities for horses and small farmette operations

Thank you – we will note this for the IP. If any additional information on horse manure can be provided we would like to include that as well. We agree with a BMP for composting and waste storage facilities for small operations would be very useful in this IP project. If you or your fellow SWCD personnel could assist with this, we would be happy to incorporate it. Only dairy waste was assumed to be collected then applied in these watersheds. In Table 3.15 “Beef” should have been “Swine”.

Wildlife – although bacterial reductions from wildlife is not part of this plan, I do not agree with the wildlife population #s in Table 3.19.

Wildlife values are estimated based on VDGIF animal population densities and habitat data. When the acres of habitat are determined, the densities are multiplied to get population numbers for each wildlife type. We have often asked for VA DGIF to verify our populations, however, they do not critique wildlife population calculations, rather, they only instruct us on how to calculate them. If you would like DEQ or MapTech to adjust any type of type of wildlife population, please provide us with the type and the number to adjust the population to.

Figure 4.3 Land Use – Please provide an interpretation of land uses. What factor is used to distinguish between Forest, Agriculture and Urban. Many land areas

within these existing classifications are low density residential. Table 4.3 should provide the numbers used in developing Figure 4.3.

DEQ provided the NLCD 2001/MRLC land use type definitions in an email following the conference call on 1/10/2011. During the call, it was explained that the land use types are grouped in order to show similar types in maps. More detailed land use maps are provided in the next WG handouts. Cropland and Pasture are separated out in the new maps for attendees to comment on.

Provide an overlay map of the NWBD for the impaired segments. Provide watershed characteristic information of these areas. Same info as reported for impaired segments.

This can be provided for each workgroup in the next meetings.

General Comments

Figure 4.1, 4.2 and Table 4.1 should be included for the upcoming Steering and next Work group meetings. Members should be encouraged to review these figures and table prior to the next meeting.

Subwatershed maps are to be provided in the next set of workgroup handouts.

Why does DEQ use HUC instead of NWBD watershed units? Will this change in the future? SWCDs use NWBD for agricultural BMP reporting.

See response above.

Again, DEQ and MapTech greatly appreciate your participation and looks forward to working with you at our next workgroup and steering committee meetings.

Best Regards,

Margaret Smigo
VA-DEQ Piedmont
Regional TMDL Coordinator

Cc: Mark Alling, DEQ
Seth Mullins, DEQ
Ram Gupta, DCR

James River – Richmond Bacterial TMDL

Comments from workgroup meetings and review of September 2010 document.

Agricultural Comments

Am I correct in understanding that the James River (lower/riverine) section includes everything upstream of the lower limits of this section?

Additional Information/Data Clarification

Table 1.1 The HUP classification system changed in 2006. The old HU coding numbers were utilized in this reporting. The current HU/NWBD number should be added under the Stream Name HU. The VACS tracking program uses current NWBD boundaries and names. This comment applies to all tables. See attached old vs new map

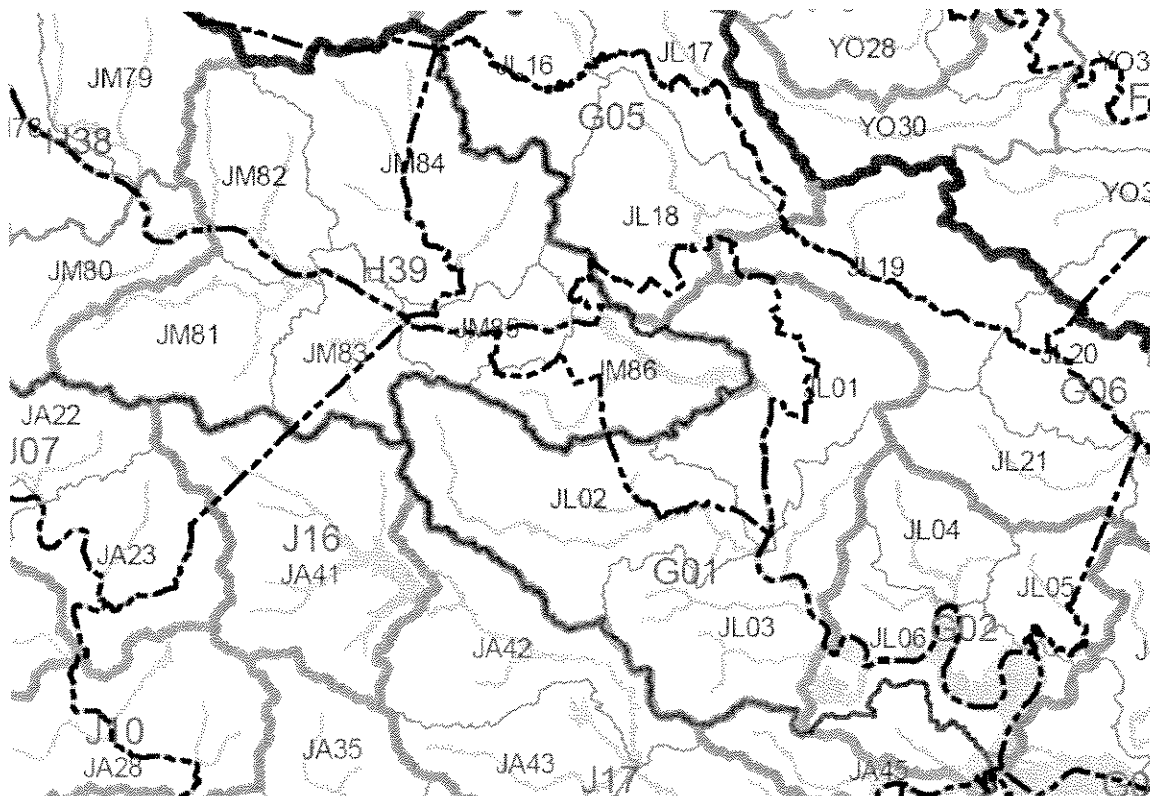


Table 1.1 Fecal coliform impairments on the 2004 Section 305(b)/303(d) Water Quality Integrated Report within the James River - City of Richmond study area.

Stream Name HUP	Listing Station ID(s)	Initial Listing Year	River Length Affected (miles)	2002 303(d) List FC Violations/ Total Samples	2004 303(d) List FC Violations/ Total Samples	Location
AL01 Almond Creek VAP-G01R-02	2-ALM000.42	1998	2.26	5/27	12/29	From its headwaters to its mouth at the James River, including unnamed tributaries
BA03 Bernards Creek VAP-H39R-10	2-BOR001.73	2004	6.97	NA	7/30	Mainstem of Bernards Creek
AL02 Falling Creek VAP-G01R-03	2-FAC000.85	2002	3.81	8/47	10/49	From the Falling Creek Reservoir Dam to confluence with James River
AL01 Gille Creek VAP-G01R-06	2-GIL000.42	2004	5.79	NA	2/9	From its headwaters to its mouth at the James River
AL01 Goode Creek VAP-G01R-01	2-GOD000.77	2002	1.23	12/21	14/20	From the confluence with Broad Rock Creek to its mouth at the James River
JA06 James River (upper) H39R-11	2-JAS117.35	2004	10.06	NA	6/46	The mainstem of the James River between the confluence of Tuckahoe Creek and William's Island Dam
DELISTED						
JA06 James River (lower) VAP-H39R-08	2-JAS115.29	1998	3.05	9/30	...	William's Island Dam at river mile 116.30 to Boulevard Bridge
DELISTED						
JA06 James River (lower) VAP-H39R-08	2-JAS112.79	1998	2.99	9/30	...	Boulevard Bridge to the fall line at Mayos Bridge
AL05 - Should be GO02 based on HUP overlay map? James River (tidal) VAP-G01E-01	2-JAS110.31	1998	10.84 sq. mi.	From the fall line at Mayos Bridge downstream to the Appomattox River
AL03 No Name Creek VAP-G01R-03	2-XTC000.08 2-XUH000.01 2-XUT000.01	2004	1.83	NA	2/2 1/1 3/2	Unnamed Trib to James River (a.k.a. No Name Creek) mainstem and tribs
JA06 Powhite Creek VAP-H39R-05	2-PWT000.57	2002	8.12	3/19	6/28	From its headwaters to its mouth at the James River
JA06 Reed Creek VAP-H39R-06	2-RDD000.19	1998	3.68	8/26	7/18	From its headwaters to its mouth at the James River

Does this TMDL include any portion of old HU G02? It appears based on Figure 1.2 that it would be included.

Is the James River (tidal) VAP-G01E-01 correctly identified? Based on research, this should have been a GO02 number.

Table 2.1 Agricultural BMPs installed – The column used for data compilation from the DCR VACS tracking database should have been “Extend Installed”. There was an over-reporting of 2,900 acres of SL-15A.

What information and/or how was Table 3.1 developed? Was computer imagery software based on satellite/aerial photography? For rural areas such as the outlying areas of Goochland, Powhatan, Chesterfield and Henrico areas are indicated as Forest, but should be classified as rural/residential.

Table 3.4 CAFO permits – Alvis Farms LLC is a dairy operation. It has never been a poultry operation. The operation currently is milking 700 dairy cows. The milking herd is in 100% confinement with liquid manure storage. Liquid manure is spread on approximately 700 acres per year. The operation is installing stream fencing to eliminate stream access for the dry cows, non-lactating cows. Heifers

and calves are spread over multiple watersheds within and outside the limits of this TMDL area.

Table 3.9 and related tables

James River (lower) do the numbers for this segment include upstream segments? Or is this just for the area contributing within the segment as listed in Table 1.1?

James River (tidal) do the numbers for this segment include upstream segments? Or is this just the area contributing within the segment from the fall line at Mayos Bridge downstream to the Appomattox River?

I understand the tables are arranged in alphabetical order, but if the James River (lower) and James River (tidal) include upstream areas and are composite figures, it would be better understood that these segments be listed based on location/river mile.

Clarification to this table could be made by adding a superscript # for areas that are included in the James River (lower)¹ and (upper)² segments.

Table 3.10 Biosolids Application- There should be more recent data. Replace with most recent data available from DEQ for applications or land area and tons permitted for application.

Table 3.13 Livestock – It appears the #s for James River (tidal) are cumulative for the entire TMDL area. Are the #s for James River (lower) cumulative for Bernards, James River (upper), James River (lower), Powhite, and Reedy?
Referenced back to table 1.1

Should the James River (tidal) be equal to the **Watershed Total** as indicated at the bottom of the table?

Dairy Cows – there are approximately 700 Milking cows in total confinement within H39. Dry cows and heifers 350, calves 175. Dry cows, heifer and calves are on pasture.

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BMPs for agriculture should include composting and waste storage type facilities for horses and small farmette operations

Wildlife – although bacterial reductions from wildlife is not part of this plan, I do not agree with the wildlife population #s in Table 3.19.

Figure 4.3 Land Use – Please provide an interpretation of land uses. What factor is used to distinguish between Forest, Agriculture and Urban. Many land areas within these existing classifications are low density residential. Table 4.3 should provide the numbers used in developing Figure 4.3.

Provide an overlay map of the NWBD for the impaired segments. Provide watershed characteristic information of these areas. Same info as reported for impaired segments.

BMPs for agriculture should include composting and waste storage type facilities for horses and small farmette operations.

General Comments

Figure 4.1, 4.2 and Table 4.1 should be included for the upcoming Steering and next Work group meetings. Members should be encouraged to review these figures and table prior to the next meeting.

Why does DEQ use HUC instead of NWBD watershed units? Will this change in the future? SWCDs use NWBD for agricultural BMP reporting.

Comments provided by Keith Burgess, Monacan SWCD (Goochland and Powhatan Counties), in discussion with James River and Henricopolis SWCDs.

From: Smigo, Margaret (DEQ)
Sent: Wednesday, November 24, 2010 9:28 AM
To: rbodkin@maptech-inc.com; Megan Laird (mlaird@maptech-inc.com); cfrench@allianceforthebay.org
Cc: Alling, Mark (DEQ); Lott, Craig (DEQ); West, Kelley (DEQ); Gupta, Ram (DCR)
Subject: FW: *Meeting Recap*James River - Bacteria TMDL 1st Implementation Planning Meeting on 11/16/10...
 Thanks Chris for your comments!

The Steering Committee has not yet been "formally" created. I only mentioned the committee in the email as being the group who shapes the plan but in the public meeting we did discuss how the committee is formed and what their duties are. I've had a few folks express their interest in joining the committee and I'm happy to add you to the list! During first wg meetings we'll discuss the steering committee and take additional volunteers. We wanted first wg meetings completed before having the steering committee meet - so there would be ample minutes from workgroups to pull from.

Thank you for providing those attachments -- they've been forwarded to maptech to use in model. This information will be very useful!

Happy Thanksgiving!
 Margaret

From: Chris French [mailto:cfrench@allianceforthebay.org]
Sent: Wed 11/24/2010 8:58 AM
To: Smigo, Margaret (DEQ)
Cc: 'Rod Bodkin'; Alling, Mark (DEQ)
Subject: RE: *Meeting Recap*James River - Bacteria TMDL 1st Implementation Planning Meeting on 11/16/10...

Margaret:

Many thanks for the follow up. It is greatly appreciated. I will share your email with other community stakeholders and see if we can attract others to participate in the work groups. Is there an overall steering committee who will vet the work group ideas? I'm curious as I did not see reference to this below.

Please sign me up for both the Government/Urban and Residential Work-groups. I have the dates you noted on my calendar.

Please accept the follow statements as preliminary public comments. I feel it is necessary to do this now considering there are work group meetings scheduled prior to the closing of the public comment period. I also encourage you to share these comments with others who attended the meeting so they might be in a position to provide feedback to DEQ prior to the scheduled work group meetings in December.

1. I am attaching a list of residential and commercial BMPs the Alliance for the Chesapeake Bay and the Reedy Creek Coalition are promoting in the Reedy Creek watershed. As you are aware, ACB has been awarded funding (over \$640,000 to date) to develop a targeted watershed program focused on reducing the impacts of stormwater pollution. I feel it is extremely important we all coordinate our efforts regarding proposed conservation practices. ACB and RCC members are currently developing specifications for the BMPs we will be promoting in our residential and commercial BMP cost share



program. These should be of high value to both MT and DEQ as you proceed with the TMDL IP. It is ultimately the residents, businesses, NGO's and local gov't who will be implementing the TMDL, so these locally developed BMPs should be utilized in the IP to the fullest extent. I also recommend DEQ and MT utilize resources available through the Virginia Stormwater BMP Clearinghouse hosted by the VA Water Resources Research Center.

2. Regarding the planned BMP cost-benefit analysis, I believe there is very little info available that will make the costs look justifiable using traditional calculations. This is because these practices are relatively new for Virginia and there is not a track record for implementation. It is easy to over-estimate these expenses as a result. This is especially true if you consider retrofitting existing development versus BMP installation during site development. I urge DEQ and MT to include community stakeholders in discussions regarding BMPs costs. It is important these numbers are accurate and can be compared to more traditional engineering practices that might be recommended.
3. Following up on item 2 above, there needs to be a large focus on reducing stormwater flows in our urban and suburban communities. I recommend both DEQ and MT become familiar with the Burnsville, MN raingarden retrofit study (attached). The TMDL model should be able to replicate the observed effects from the Burnsville study by reducing flows in urban and suburban communities in the TMDL focus area. The TMDL model predicts flows. It is through this vehicle that the TMDL should be able to predict the value and impact of LID/Green Infrastructure BMPs.
4. It should be noted that LID/GI practices are typically designed for small storm events. While these are good practices, they will not be to total answer to addressing bacterial impairment in our suburban/urban communities. Other alternatives will have to be considered and promoted as appropriate.
5. DEQ and MT should obtain the City of Richmond's Impervious Surface GIS layer. The Dept. of Planning should be able to provide a layer with every building and parking lot in the City digitized (note that roads are not included). This was done in order to calculate the impervious surfaces on properties that are charged under the City's new Stormwater Utility Program. This new info will help ensure the TMDL is more accurate when BMPs are applied to the landscape. Other localities might also have access to this info. If they do not, The EPA Chesapeake Bay program has an impervious surface model that can be used as a surrogate. This is satellite derived data, but should suit if nothing else exists.
6. ACB and RCC have discovered a continuous petroleum pollution incident where a buried stream tributary to Reedy Creek daylighted below 46th Street. In investigating this matter, it has become apparent to us how many streams in the Richmond metro area have been severely altered. Underground pipe systems have altered the natural watersheds in the community, which has an impact on the TMDL model. It is important that these alterations be investigated and those changes be reflected in TMDL model wherever possible.
7. I also would like to refer you to the recently completed Urban Tree Canopy Analysis for

the City of Richmond (http://www.cnr.vt.edu/gep/va_utc.html). This analysis includes recommendations on probable sites for tree planting projects in the City. Trees are perhaps the most cost effective BMP we can recommend (both Riparian and upland areas). As this work is completed and current, it should prove to be a valuable resource towards the TMDL IP.

8. The Green Infrastructure Center in Charlottesville is currently developing a GI plan for the City of Richmond. If possible, this plan should be reviewed and reflected in the TMDL IP. A previously completed plan for the region (Richmond PDC and Crater PDC areas) can be found at <http://www.gicinc.org/RichReg.htm>.
9. I strongly recommend the TMDL IP explore the probable results of implementing a social marketing campaign for the metro Richmond community. We know from past efforts like the Chesapeake Club that there are measurable results in residential behavior patterns as a result of these efforts. DCR should be able to provide past research associated with the Chesapeake Club campaign in Virginia markets.

I hope this info and information proves to be useful to the TMDL IP effort. I am looking forward to participating in future meetings. As always, I would be pleased to make myself available if you have any questions or concerns about these comments and materials provided.

Best, Chris

Chris French

Virginia Director
Alliance for the Chesapeake Bay
530 E. Main Street, Suite 200
Richmond, VA 23219
(804) 775-0951 (804) 775-0954 (fax)
www.allianceforthebay.org

Please note my new email address: cfrench@allianceforthebay.org

From: Smigo, Margaret (DEQ) [<mailto:Margaret.Smigo@deq.virginia.gov>]
Sent: Tuesday, November 23, 2010 4:57 PM
Cc: A440-AC-DEQ-PDMNT_Staff (DEQ); Lott, Craig (DEQ)
Subject: *Meeting Recap*James River - Bacteria TMDL 1st Implementation Planning Meeting on 11/16/10...

Good Afternoon!

Thank you for attending the first James River Bacteria TMDL Implementation Planning public meeting on Nov. 16th! About 25 people attended the meeting. This email is to remind you of the public comment period which will end on Dec. 27th, 2010. Please note that there is no document under review, rather, the comment period is to get your input on how the implementation plan should be developed and to hear your ideas for cleaning up the impaired waterways. Along with your comment,

please send your name, address, telephone number, and email to:

Piedmont DEQ
ATTN: Margaret Smigo
4949-A Cox Road
Glen Allen, VA 23060

You may also send your comments via email to: Margaret.Smigo@deq.virginia.gov or FAX to (804)527-5106 (ATTN Margaret Smigo).

An extra thank you to folks who participated in our work-group brainstorming session! The work-groups are: government / urban group, agriculture group, and a residential group. Work-groups met briefly last Tuesday to discuss work-group functions and to get the ideas rolling! We will be hosting at least 2 more work-group meetings (per group) so it's not too late to join us - we could use a few more agriculture and residential work-group members!

Also, if you want to join more than one group you are most welcome to – the more the merrier! You may join any work-group you choose (no limitations). Work-group members' responsibilities are limited to showing up for the meeting and actively participating. The products of work-groups are the meeting minutes which will be provided to the steering committee (assembled by meeting facilitators). The steering committee is a group of voluntary or selected folks who will help shape the implementation plan.

Attached you will find the work-group meeting minutes from last Tuesday's brainstorming session. If you notice an error or omission in the minutes, please let me know no later than Friday December 3, 2010 (Thanks)!

Schedule of the next work-group meetings are:

Government / Urban Work-group: Thursday Dec. 9th at 10AM in 2nd floor conference room at the Henrico County Annex Building (directions click [here](#)) Special Instructions: Park in the Administration Building lot and enter ground floor entrance of the Annex Building (immediately to the left facing the Administration Building). Take elevator to 2nd floor conference room.

Agriculture Work-group: To Be Determined – need members!!!! Please let us know if you would like to join! I will send an update once the Agriculture workgroup meeting has been scheduled.

Residential Work-group: Monday Dec. 13th at 3:30pm at the Richmond City Waste Water Treatment Facility (directions click [here](#)). Special Instructions: Park in the "visitor" parking lot, enter main door and proceed to 2nd floor conference room.

The presentation given at the public meeting last Tuesday is available on the DEQ website [here](#). After Dec. 3rd, the final workgroup minutes will be posted there as well.

Again, it's not too late to participate in our workgroup meetings – we could really use your help! Please feel free to send this email to friends, neighbors...anyone you think might be interested!

From: Smigo, Margaret (DEQ)
Sent: Monday, December 27, 2010 4:05 PM
To: 'cfrench@allianceforthebay.org'
Subject: RE: Tuckahoe Creek (including in the James IP...)
Hi Chris,

In response to your public comment regarding Tuckahoe Creek, Piedmont DEQ has permission from our Central Office to include Tuckahoe Creek in the James River IP process and is awaiting verification from MapTech that we can move forward. We don't anticipate any objections from our contractor and will make every effort to include Tuckahoe Creek in order to efficiently address implementation in the James River and its tributaries around the City of Richmond.

Thank you again for the valuable suggestion!

Best Regards,

Margaret Smigo
VA DEQ Piedmont Regional
TMDL Coordinator
4949-A Cox Road
Glen Allen, VA 23060
Office (804)527-5124
Fax (804)527-5106

From: Chris French [mailto:cfrench@allianceforthebay.org]
Sent: Wednesday, December 08, 2010 7:08 PM
To: 'Smigo, Margaret (DEQ)'; 'Alling, Mark (DEQ)'
Subject: Tuckahoe Creek

Margaret and Mark:

I was looking at the TMDL IP study map during Margaret's presentation last night and noted that Tuckahoe Creek was not included in the IP, though the overall watershed is covered in the target study. Sorry to have not caught this earlier.

Is this something that you all would be willing to discuss with both CO and Maptech to see if it can be included in the IP? I would not think it would be too difficult to do as the TMDL should have incorporated the Tuckahoe TMDL loadings from LDA study in 2004. Perhaps I am incorrect about this, but thought it should be asked. I'd hate to see you all spend more money for separate IP when Tuckahoe could be covered in this study.

See you tomorrow. Chris

Chris French

Virginia Director
Alliance for the Chesapeake Bay
530 E. Main Street, Suite 200
Richmond, VA 23219
(804) 775-0951 (804) 775-0954 (fax)
www.allianceforthebay.org

Please note my new email address: cfrench@allianceforthebay.org

From: Smigo, Margaret (DEQ)
Sent: Wednesday, November 24, 2010 8:08 AM
To: Friends of James River Park
Cc: Lott, Craig (DEQ); Alling, Mark (DEQ); fieldL@chesterfield.gov; per03@co.henrico.va.us
Subject: RE: *Meeting Recap*James River - Bacteria TMDL 1st Implementation Planning Meeting on 11/16/10...

Good Morning Ms. Egan,

Thank you for your email! I'm including the government/urban workgroup facilitators in this response so they might mention the riparian project in their next workgroup meeting. I am aware of one other such project in Henrico County. I believe they had a project where plantings were provided and holes were dug and community volunteers were brought in to finish off the buffer area and give them a sense of pride and ownership of the project.

We actually would greatly benefit if these areas could be provided in a map or at least the total area amount of buffer was made available. We are in the process of creating an inventory of BMPs already in place - as well as get any kind of efficiency/cost figures on them to help us figure out which BMPs would be most effective (and where to place them in the landscape) in the implementation plan.

Again, thanks so much for bringing this to our attention!
 Best Regards,
 Margaret Smigo

From: Friends of James River Park [mailto:fojrp@mindspring.com]
Sent: Tue 11/23/2010 9:11 PM
To: Smigo, Margaret (DEQ)
Subject: Re: *Meeting Recap*James River - Bacteria TMDL 1st Implementation Planning Meeting on 11/16/10...

Chesterfield County has implemented a riparian buffer project (Lorne Field is involved fieldL@chesterfield.gov) that should be looked at by the city and surrounding localities. The Friends of James River Park is meeting with Lorne to try to see how we could become involved in bringing such a program to the city to help water quality. Obviously, governmental entities could reach more people more quickly and improve more miles of waterways. Perhaps this is already part of the plan, but just wanted to let you know of a successful project.

Maureen Egan,
 President, FOJRP

-----Original Message-----

From: "Smigo, Margaret (DEQ)"
 Sent: Nov 23, 2010 4:57 PM
 To:
 Cc: "A440-AC-DEQ-PDMNT_Staff (DEQ)", "Lott, Craig (DEQ)"
 Subject: *Meeting Recap*James River - Bacteria TMDL 1st Implementation Planning Meeting on 11/16/10...

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Piedmont DEQ

ATTN: Margaret Smigo
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You may also send your comments via email to: Margaret.Smigo@deq.virginia.gov or FAX to (804)527-5106 (ATTN Margaret Smigo).

An extra thank you to folks who participated in our work-group brainstorming session! The work-groups are: government / urban group, agriculture group, and a residential group. Work-groups met briefly last Tuesday to discuss work-group functions and to get the ideas rolling! We will be hosting at least 2 more work-group meetings (per group) so it's not too late to join us - we could use a few more agriculture and residential work-group members!

Also, if you want to join more than one group you are most welcome to – the more the merrier! You may join any work-group you choose (no limitations). Work-group members' responsibilities are limited to showing up for the meeting and actively participating. The products of work-groups are the meeting minutes which will be provided to the steering committee (assembled by meeting facilitators). The steering committee is a group of voluntary or selected folks who will help shape the implementation plan.

Attached you will find the work-group meeting minutes from last Tuesday's brainstorming session. If you notice an error or omission in the minutes, please let me know no later than Friday December 3, 2010 (Thanks)!

Schedule of the next work-group meetings are:

Government / Urban Work-group: Thursday Dec. 9th at 10AM in 2nd floor conference room at the Henrico County Annex Building (directions click [here](#)) Special Instructions: Park in the Administration Building lot and enter ground floor entrance of the Annex Building (immediately to the left facing the Administration Building). Take elevator to 2nd floor conference room.

Agriculture Work-group: To Be Determined – need members!!!! Please let us know if you would like to join! I will send an update once the Agriculture workgroup meeting has been scheduled.

Residential Work-group: Monday Dec. 13th at 3:30pm at the Richmond City Waste Water Treatment Facility (directions click [here](#)). Special Instructions: Park in the "visitor" parking lot, enter main door and proceed to 2nd floor conference room.

The presentation given at the public meeting last Tuesday is available on the DEQ website [here](#). After Dec. 3rd, the final workgroup minutes will be posted there as well.

Again, it's not too late to participate in our workgroup meetings – we could really use your help! Please feel free to send this email to friends, neighbors...anyone you think might be interested!

Thanks for your participation and we hope to see you at the workgroup meetings!

Smigo, Margaret (DEQ)

From: Gregory, Lance (VDH)
Sent: Monday, December 27, 2010 3:00 PM
To: Smigo, Margaret (DEQ)
Subject: RE: Request for VDH input for James River and Tributaries - City of Richmond Bacteria TMDL Implementation Planning...

Mrs. Smigo,

The "sewer hook-up" BMP sounds great. In all honesty my estimate of several hundred septic systems in the City of Richmond was just an educated guess. The Richmond City Health Department once handled all septic repairs for the City, but in the late 80's early 90's the Chesterfield Health Department took over those duties. Unfortunately we received only a limited amount of the permits on file, so we really don't have much information on these existing systems. If you or someone with the City Utilities department could send us a list of addresses with only water connection that would be great. As for Chesterfield County, I have GIS maps for the location of repair permits going back to 2004. I will find those and send them to you and to Scott Flanigan. That should help in determining which areas would benefit the most from a sewer extension. Thank you for your response, and again, if there is anything I can do to help please let me know.

Sincerely,

Lance Gregory

From: Smigo, Margaret (DEQ)
Sent: Monday, December 27, 2010 2:36 PM
To: Gregory, Lance (VDH)
Cc: Megan Maggard; Degen, Marcia (VDH); flanigans@chesterfield.gov; grace.lerose@richmondgov.com; joverstreet@powhatanva.gov; sreynolds@powhatanva.gov
Subject: RE: Request for VDH input for James River and Tributaries - City of Richmond Bacteria TMDL Implementation Planning...

Good Afternoon Mr. Gregory,

Thank you for your email and for the information on repaired systems in your district. We do realize the difficulty which failing systems represent – VDH can only enforce regulations if a failure or straight-pipe has been brought to your attention.

You mentioned in your email that there are several hundred septic systems in the City of Richmond. In our residential workgroup meeting on 12/13/10, the City of Richmond mentioned a bit of disconnect between what VDH reports for permitted septic systems and what they offer in terms of water service. From the meeting they said VDH has a record of ~ 140 (plus or minus a few) permitted septic systems however the City of Richmond reports 1300 homes with water service only. That would mean there are about 1100 homes which fall into the "unaccounted for" category. This topic arose because we would like to work with the localities to come up with a "sewer hook-up" BMP for the Implementation Plan. To do this, localities need to know who is connected to public sewer, who isn't, where are the soils less permeable/where are we most likely to see septic failures, how old are the homes, where have there been recent septic failures, etc. This information should help localities come up with estimates on the number of homes to connect to public sewer for stage 1 and stage 2 of implementation. Stage 1 would likely be the homes closest to sewer mains (would cost the least to hook up) but also include homes with the most need (older, in areas where other failures are known, soils have lower permeability rates, etc.) in order for us to get the biggest bang for the buck in terms of current/future bacteria load reduction.

Both the City of Richmond and Chesterfield County expressed a desire to participate in the creation of this BMP but the assistance of VDH is necessary. I have cc'd Scott Flanigan (Chesterfield Co.) and Grace LeRose (City of Richmond) on this email. I've included a couple of Powhatan folks (I've not yet heard from them regarding a "septic hook-up" BMP in Powhatan but am hopeful for their input). Any

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information VDH can offer to help the localities pinpoint areas where septic failures are known by VDH or where VDH would expect the most imminent need for public sewer hook-up, would be very beneficial and greatly appreciated. Chesterfield was going to work with some of their GIS layers to try and put something together. If you have that capability or have access to GIS layers which might indicate areas of need please let us know.

Also, I thought I would mention we have scheduled our next government/urban workgroup meeting for 1/26/11 at 10am at the Henrico County Administration Bldg Annex. The next residential workgroup meeting has been scheduled for 1/24/11 at 6:30pm at the Westover Hills Library. You are welcome to attend either meeting.

Thank you again for your email. We look forward to working with you!

Margaret Smigo
VA DEQ Piedmont Regional
TMDL Coordinator
4949-A Cox Road
Glen Allen, VA 23060
Office (804)527-5124
Fax (804)527-5106

From: Gregory, Lance (VDH)
Sent: Wednesday, December 22, 2010 4:59 PM
To: Smigo, Margaret (DEQ)
Subject: RE: Request for VDH input for James River and Tributaries - City of Richmond Bacteria TMDL Implementation Planning...

Mrs. Smigo,

Hello, my name is Lance Gregory and I am the Environmental Health Supervisor for the Chesterfield County Health District. Our district covers Chesterfield County, Powhatan County, the City of Colonial Heights, and we also do sewage disposal system work for the City of Richmond. I apologize that I have not contacted you sooner about this TMDL. I would be more than happy to provide you with any assistance or data possible. In your email you ask specifically about the number of septic failures and straight pipes. We estimate that Chesterfield County has roughly 22,000 onsite sewage disposal systems, Powhatan County roughly 12,000, the City of Richmond several hundred, and the City of Colonial Heights less than 50. I would estimate the number of straight pipes in our district at less than 20, although this is just a guess. The chart below shows the number of repair permits that our district issued from 2008 to 2010 for each locality.

	2008	2009	2010
Chesterfield	219	212	180
Powhatan	33	59	28
Richmond City	1	4	2
Colonial Heights	0	0	0
Total	253	275	210

When discussing repair permits for onsite sewage systems we break these permits into two categories. The first is a full repair, which would be a complete replacement of the absorption field, and potentially the installation of a pump or even an alternative treatment unit. The second category is what we call a component replacement. This type of permit could be as simple as replacing a collapsed septic tank, and at most would be the replacement of the distribution box and header lines. Roughly 50% of the repair permits issued by our office are for component replacements. In 2008 only 151 of the 253 repair permits we issued were for a full repair and replacement of the absorption field. Those 151 systems are the ones discharging effluent directly to the ground surface, and potentially into drainage ways and streams. However, in most cases the failure is confined within the boundaries of the property. Only rarely, about 5%, of these failing systems actually discharge across the property into a drainage way; and even then most are a hundred feet or more from the closest stream. I guess the point I am trying to make is that very few failing onsite sewage systems within this region have a direct impact on local waterways.

Where the impact does take place is in an area that we cannot see from the ground surface. That is the discharge of nitrogen and other pollutants from onsite sewage systems directly into the ground water. Current

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regulations and design practices keep this interaction from occurring. However, there are hundreds of systems installed 20 to 30 years ago that do not meet today's current vertical standoff to groundwater. As long as the effluent does not come to the surface or back up in the house we never know that these conditions exist. It is only once a failure occurs that we become aware.

My recommendation for DEQ would be to look at ways to provide funds, or cost share programs, for homeowners that upgrade their functioning system if it is determined that the system is currently negatively impacting groundwater. Also providing funds or cost share programs for people in need of a full repair would be beneficial. Of the 120 full repair permits issued in Chesterfield County in 2008 only 28 (23%) were installed. However, of the 99 component replacement permits issued that same year 74 (74%) were installed. The reason being that a full repair system can cost between \$6,000 to \$7,000 or more if the system is alternative, while a component replacement usually only cost about \$1500 to \$2000.

If you have any questions please feel free to contact me. Again I am happy to provide any information or data that we have on hand.

Sincerely,

Lance Gregory

From: Smigo, Margaret (DEQ)

Sent: Tuesday, November 30, 2010 1:35 PM

To: Knapp, Allen (VDH); Roadcap, Dwayne (VDH); Michael.cambell@vdh.virginia.gov; Smith, Kenneth (VDH); Gregory, Lance (VDH); Watts, Jack (VDH)

Cc: Alling, Mark (DEQ); Lott, Craig (DEQ)

Subject: Request for VDH input for James River and Tributaries - City of Richmond Bacteria TMDL Implementation Planning...

Good Afternoon,

DEQ is currently developing an Implementation Plan for the James River Bacteria TMDL (recently approved by EPA). The watershed includes the locality of the City of Richmond and the Counties of Henrico, Chesterfield, Powhatan, and Henrico. We are contacting all VDH personnel in the hopes of gaining your involvement and input during the implementation planning process for this watershed – specifically regarding the number of septic failures/straight pipes which we have estimated to exist in the watershed and what BMPs we should consider in order to mitigate the resulting bacteria pollution.

DEQ held the first James River Bacteria TMDL Implementation Planning public meeting on Nov. 16th. The presentation given at the public meeting on 11/16 is available on the DEQ website [here](#). About 25 people attended the meeting. This email is to inform you of the public comment period which will end on Dec. 27th, 2010 and to update you regarding the workgroup meetings which have been scheduled. Please note that there is no document under review, rather, the comment period is to get your input on how the implementation plan should be developed and to hear your ideas for cleaning up the impaired waterways. Along with your comment, please send your name, address, telephone number, and email to:

Piedmont DEQ
ATTN: Margaret Smigo
4949-A Cox Road
Glen Allen, VA 23060

You may also send your comments via email to: Margaret.Smigo@deq.virginia.gov or FAX to (804)527-

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5106 (ATTN Margaret Smigo).

In addition to a presentation given to provide an overview of the IP process, we broke attendees up into 3 workgroups. The work-groups are: government / urban group, agriculture group, and a residential group. Work-groups met briefly on 11/16 to discuss work-group functions and to get the ideas rolling. Work-group members' responsibilities are limited to showing up for the meeting and actively participating. The products of work-groups are the meeting minutes which will be provided to the steering committee. The steering committee is a group of voluntary or selected folks who will help shape the implementation plan.

We are in need of VDH participation to provide input regarding septic failures and straight pipes and potential ways of mitigating them via BMPs (ie homeowner education). While the "gov't/urban" workgroup will discuss these functions, you are also more than welcome to join as many workgroups as you so choose (no limitations). Attached you will find the work-group meeting minutes from the 11/16 brainstorming session. Final minutes will be posted on the DEQ website (link to follow).

Schedule of the next work-group meetings are:

Government / Urban Work-group: Thursday Dec. 9th at 10AM in 2nd floor conference room at the Henrico County Annex Building (directions click [here](#)) Special Instructions: Park in the Administration Building lot and enter ground floor entrance of the Annex Building (immediately to the left facing the Administration Building). Take elevator to 2nd floor conference room.

Agriculture Work-group: To Be Determined – need members!!!! Please let us know if you would like to join! I will send an update once the Agriculture workgroup meeting has been scheduled.

Residential Work-group: Monday Dec. 13th at 3:30pm at the Richmond City Waste Water Treatment Facility (directions click [here](#)). Special Instructions: Park in the "visitor" parking lot, enter main door and proceed to 2nd floor conference room.

In the next work-group meetings we will also be discussing the formation of the steering committee – please let us know if you would like to join.

After Dec. 3rd, the final workgroup minutes will be posted on the DEQ website (link to follow).

Again, we would greatly appreciate your participation and we hope to see you at one of the upcoming workgroup meetings (and the steering committee meetings if you would like to join). Please don't hesitate to contact me should you have additional questions.

Best Regards,

Margaret Smigo
VA DEQ Piedmont Regional
TMDL Coordinator
4949-A Cox Road
Glen Allen, VA 23060
Office (804)527-5124
Fax (804)527-5106

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